

## 2013 DRAFTING REQUEST

### Bill

Received: 7/26/2013 Received By: tkuczens  
Wanted: As time permits Same as LRB:  
For: Chris Taylor (608) 266-5342 By/Representing: Andrew Bethke  
May Contact: Drafter: tkuczens  
Subject: Education - state superintendent Addl. Drafters:  
Extra Copies: pg, ffk

Submit via email: YES  
Requester's email: Rep.Taylor@legis.wisconsin.gov  
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov

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### Pre Topic:

No specific pre topic given

---

### Topic:

Require provision of free 4-year-old kindergarten by all school districts

---

### Instructions:

See attached

---

### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 12/13/2013	kfollett 12/16/2013		_____			
/P1	tkuczens 2/11/2014	kfollett 2/18/2014	rschluet 12/16/2013	_____	lparisi 12/16/2013		State
/1			jmurphy 2/18/2014	_____	srose 2/18/2014	srose 2/28/2014	State

FE Sent For:

<END>

→ At  
Intro.

# **2013 DRAFTING REQUEST**

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/?	tkuczens 12/13/2013	kfollett 12/16/2013		_____			
/P1	tkuczens 2/11/2014	kfollett 2/18/2014	rschluet 12/16/2013	_____	lparisi 12/16/2013		State
/1			jmurphy 2/18/2014	_____	srose 2/18/2014		State

FE Sent For:

**<END>**

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/?	tkuczens 12/13/2013	kfollett 12/16/2013					
/P1		115F 2/18	rschluet 12/16/2013		lparisi 12/16/2013		State
FE Sent For:			115F 2/18	Jim 2/18			

<END>

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May Contact: Drafter: **tkuczens**  
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**Pre Topic:**

No specific pre topic given

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**Topic:**

Require provision of free 4-year-old kindergarten by all school districts ✓


---

**Instructions:**

See attached

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**Drafting History:**

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/?	tkuczens	1/11/13 12/16	 12/16/13 <END>				
FE Sent For:							

## Kuczenski, Tracy

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**From:** Bethke, Andrew  
**Sent:** Thursday, July 25, 2013 11:34 AM  
**To:** Kuczenski, Tracy  
**Subject:** RE: Request to Draft Universal 4K Legislation, Rep. Chris Taylor  
**Attachments:** drafting memo.universal 4k.docx

Hi Tracy:

Attached is a final version of the drafting instructions for this bill. Thank you for your patience!

---

**From:** Kuczenski, Tracy  
**Sent:** Friday, July 19, 2013 11:11 AM  
**To:** Bethke, Andrew  
**Subject:** RE: Request to Draft Universal 4K Legislation, Rep. Chris Taylor

Hi Andrew;

Just to clarify, at this point the funding for the proposal is no longer specified. Correct?

Thanks,  
Tracy

Tracy K. Kuczenski  
*Legislative Attorney*  
Wisconsin Legislative Reference Bureau  
[tracy.kuczenski@legis.wisconsin.gov](mailto:tracy.kuczenski@legis.wisconsin.gov)  
(608) 266-9867

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**From:** Bethke, Andrew  
**Sent:** Monday, July 15, 2013 10:47 AM  
**To:** Kuczenski, Tracy  
**Subject:** RE: Request to Draft Universal 4K Legislation, Rep. Chris Taylor

Tracy,

Hey, good morning. Attached is an updated draft – we've changed the way that this bill should be funded. Thank you again.

---

**From:** Kuczenski, Tracy  
**Sent:** Wednesday, May 29, 2013 2:51 PM  
**To:** Bethke, Andrew  
**Subject:** RE: Request to Draft Universal 4K Legislation, Rep. Chris Taylor

Thanks, for understanding!

Tracy K. Kuczenski  
*Legislative Attorney*  
Wisconsin Legislative Reference Bureau  
[tracy.kuczenski@legis.wisconsin.gov](mailto:tracy.kuczenski@legis.wisconsin.gov)  
(608) 266-9867

---

**From:** Bethke, Andrew  
**Sent:** Tuesday, May 28, 2013 12:36 PM

**To:** Kuczenski, Tracy  
**Cc:** Trost, Craig  
**Subject:** RE: Request to Draft Universal 4K Legislation, Rep. Chris Taylor

Good Afternoon Tracy:

Alright, thank you. We definitely understand and look forward to the draft. Thanks!

---

**From:** Kuczenski, Tracy  
**Sent:** Thursday, May 23, 2013 2:40 PM  
**To:** Bethke, Andrew  
**Subject:** RE: Request to Draft Universal 4K Legislation, Rep. Chris Taylor

Hi Andrew –

Thank you for your request. I will get to it as soon as possible. Please be aware that I have a large backlog at the moment, including budget amendments, and expect to be receiving additional budget amendments next week. It will likely be a few weeks before I can get to this request. I suspect Peter will be in the same position when he returns, but if you wish for Peter to work on this, please let us know.

I will contact you with any questions.

Thank you,  
Tracy

Tracy K. Kuczenski  
*Legislative Attorney*  
Wisconsin Legislative Reference Bureau  
[tracy.kuczenski@legis.wisconsin.gov](mailto:tracy.kuczenski@legis.wisconsin.gov)  
(608) 266-9867

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**From:** Bethke, Andrew  
**Sent:** Thursday, May 23, 2013 12:44 PM  
**To:** Kuczenski, Tracy  
**Subject:** Request to Draft Universal 4K Legislation, Rep. Chris Taylor

Dear Attorney Kuczenski:

I hope that you are doing well. I have sent this same request to Attn. Peter Grant but he is out of the office until Friday. I am a legislative intern in Rep. Chris Taylor's office and have copied one of her staff, Craig, on this email. Attached is the language for a universal 4-year-old kindergarten bill that Chris would like drafted. Will you please draft this for her? Thank you for your time.

Andrew L. Bethke  
Legislative Intern – Representative Chris Taylor  
76<sup>th</sup> District – Madison  
(608) 266-5342  
<http://legis.wisconsin.gov/assembly/taylor/Pages/default.aspx>





## Statewide Universal 4-Year-Old Kindergarten

Rep. Taylor wants this bill to provide free pre-kindergarten education to all four-year-olds in Wisconsin. This 4K education is to be provided at no fee to students' families, for three hours every day in classrooms with a size of 20 children. Instruction is to be provided by a certified lead teacher and a paraprofessional teacher's aide. Participation of four-year-olds in this program is not to be mandatory but participation of school districts in this program is to be mandatory. Universal 4K will be funded by money available as a result of the elimination of the 2013-2015 Wisconsin school voucher expansion and remaining expenses for this bill will be funded by general purpose revenue.

→ include in this bill?

20,255(2)(dp) - grants for 4-yr-old K funds

S. 115.445 4-yr-old K grants: retain? (NID). X-ref in 119.04(1)

S. 118.14(3) phase-in X-ref 121.004(7)(c) 1. (intro.), Com

[S. 119.01(2) - "kindergarten" include 4-yr-old]

S. 121.02(1)(d) → change to kindergarten? cr. (1)(dm)  
↳ phase in?

⊗ Craig Trost

(a) and

118.14(3)(b) → repeal

★ Add to definition of "state aid" for purposes of revenue limit

14.90(2)(am)1.

**From:** Kuczenski, Tracy  
**Sent:** Thursday, November 21, 2013 5:05 PM  
**To:** Trost, Craig  
**Subject:** 4-year-old Kindergarten

*Answers to questions provided in  
T. conference with Craig on  
12/11/13.*

Hi Craig –

When Andrew (Bethke) and I last spoke about this draft, he had forwarded the following instructions:

Statewide Universal 4-Year-Old Kindergarten

Rep. Taylor wants this bill to provide free pre-kindergarten education to all four-year-olds in Wisconsin. This 4K education is to be provided at no fee to students' families, for three hours every day in classrooms with a size of 20 children. Instruction is to be provided by a certified lead teacher and a paraprofessional teacher's aide. Participation of four-year-olds in this program is not to be mandatory but participation of school districts in this program is to be mandatory. This program is to be funded with monies in the 2013-15 state budget currently allocated to expand the private school voucher program.

My questions are as follows:

1. Section 115.445 permits a school board to apply for a 2-year grants to implement a 4-year-old kindergarten grants. Should this section and these grants be retained? If so, does Rep. Taylor want to impose any restrictions on who may apply for such grants? *Eliminate grants: sum sufficient appropriation*
2. Section 118.14 (3) (b) requires schools that provided 4-K in the 2007-08 school year to have made 4-K available to all eligible pupils by the 2013-14 school year. This raises two questions:
  - a. May I repeal s. 118.14 (3) (b) (as it should have been implemented for the current school year)? *Yes*
  - b. Does Rep. Taylor want to phase in this **\*new\*** universal 4-K requirement? If so, how/over what period of time? *Funding available for 2014-15 school year  
Require school districts to implement by 2015-16 school year*
3. When must school districts begin to implement the 4-K requirement, and by what point must all school districts have established a universal 4-K program? *start of*
4. The drafting instructions above indicate that the (universal) 4-K program is to be funded "with monies in the 2013-15 state budget currently allocated to expand the private school voucher program." The expanded program is funded by a sum sufficient appropriation. Does Rep. Taylor want to repeal those portions of the budget that expanded the voucher program and create a new sum sufficient for the universal 4-K program? Or does Rep. Taylor want to permit school districts to **\*also\*** draw upon that same appropriation to fund the 4-K program?

*→ Change funding. Make sum sufficient, GPR  
eliminate reliance on choice program for*

Thank you,  
Tracy

Tracy K. Kuczenski  
Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
[tracy.kuczenski@legis.wisconsin.gov](mailto:tracy.kuczenski@legis.wisconsin.gov)  
(608) 266-9867



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-27872-P1

TKK...

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

12/13/12

soon

Gen

e four

and making an appropriation

1

AN ACT ...; relating to: ~~4~~-year-old kindergarten.

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

2 SECTION 1. 20.255 (2) (bk) of the statutes is created to read:

3 20.255 (2) (bk) *State aid to school districts to operate 4-year-old kindergarten.*

4 A sum sufficient for aid to school districts under s. 121.132.

5 SECTION 2. 20.255 (2) (dp) of the statutes is repealed.

6 SECTION 3. 115.445 of the statutes is repealed.

7 SECTION 4. 118.14 (title) of the statutes is amended to read:

8 118.14 (title) ~~Age of pupils; phase in of 4-year-old kindergarten.~~

4  
1       **SECTION 5.** 118.14 (3) of the statutes is repealed.

2       **SECTION 6.** 119.04 (1) of the statutes, as affected by 2013 Wisconsin Act 20, is  
3 amended to read:

4       119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
5 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
6 115.345, 115.363, 115.365 (3), 115.38 (2), 115.415, 115.445, 118.001 to 118.04,  
7 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145  
8 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20,  
9 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258,  
10 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.51, 118.52, 118.53, 118.55,  
11 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3),  
12 (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25  
13 are applicable to a 1st class city school district and board.

**History:** 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1973 c. 89 s. 20 (1); 1973 c. 90; 1973 c. 188 s. 6; 1973 c. 243, 254, 290, 307, 333; 1975 c. 39, 41, 95, 220, 379, 395, 422; 1977 c. 29; 1977 c. 203 s. 106; 1977 c. 206, 284, 447; 1979 c. 20; 1979 c. 34 s. 2102 (43) (a); 1979 c. 221, 298, 331; 1979 c. 346 s. 15; 1979 c. 355; 1981 c. 59; 1981 c. 241 s. 4; 1983 a. 193; 1983 a. 339 s. 10; 1983 a. 374 s. 12; 1983 a. 412, 489, 538; 1985 a. 29 s. 3202 (43); 1985 a. 56 s. 43; 1985 a. 214 s. 4; 1985 a. 225, 332; 1987 a. 27, 187, 285, 386, 403; 1989 a. 31, 120, 121, 122, 201, 209, 359; 1991 a. 39, 42, 189, 269; 1993 a. 16, 334, 377, 491; 1995 a. 27, 225; 1997 a. 27, 77, 113, 240, 252, 335; 1999 a. 9, 32, 73; 1999 a. 150 ss. 631, 672; 1999 a. 186; 2005 a. 99, 290, 346; 2007 a. 20, 97, 220, 222; 2009 a. 28, 60, 96, 215, 273, 305, 309; 2011 a. 10, 32, 85, 157, 166, 172; 2013 a. 20.

14       **SECTION 7.** 121.004 (7) (c) 1. (intro.) of the statutes is amended to read:

15       121.004 (7) (c) 1. (intro.) A pupil enrolled in kindergarten may be counted only  
16 if the pupil attains the age permitted under s. 120.12 (25) or required under s. 118.14  
17 for kindergarten admission. A kindergarten pupil, including a pupil enrolled in a  
18 ~~4-year-old kindergarten program being phased in under s. 118.14 (3) (b),~~ shall be  
19 counted as one-half pupil except that:

**History:** 1977 c. 29 ss. 1081, 1085e, 1085m; 1977 c. 418, 429; 1979 c. 34, 221; 1979 c. 346 s. 15; 1981 c. 20, 317; 1983 a. 27, 189; 1985 a. 29; 1987 a. 27; 1991 a. 39, 48; 1993 a. 16; 1997 a. 27, 164, 240; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2007 a. 226; 2009 a. 28; 2013 a. 20.

20       **SECTION 8.** 121.004 (7) (cm) of the statutes is amended to read:

21       121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program,  
22 ~~including a 4-year-old kindergarten program being phased in under s. 118.14 (3) (b),~~  
23 that provides the required number of hours of direct pupil instruction under s. 121.02

(1) (f) 2. shall be counted as 0.6 pupil if the program annually provides at least 87.5 additional hours of outreach activities.

**History:** 1977 c. 29 ss. 1081, 1085e, 1085m; 1977 c. 418, 429; 1979 c. 34, 221; 1979 c. 346 s. 15; 1981 c. 20, 317; 1983 a. 27, 189; 1985 a. 29; 1987 a. 27; 1991 a. 39, 48; 1993 a. 16; 1997 a. 27, 164, 240; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2007 a. 226; 2009 a. 28; 2013 a. 20.

**SECTION 9.** 121.02 (1) (dm) of the statutes is created to read:

121.02 (1) (dm) Beginning in the 2015-16 school year, make a 4-year-old kindergarten program available to all pupils eligible for the program under s. 118.14 (1) (a) or s. 120.12 (25), except in union high school districts.

**SECTION 10.** 121.132 of the statutes is created to read:

**121.132 State aid to school districts to operate 4-year-old kindergarten.** From the appropriation under s. 20.255 (2) (bk), the department shall reimburse each school district for the costs to operate a 4-year-old kindergarten as required under s. 121.02 (1) (dm). A school district that makes a 4-year-old kindergarten program available to all pupils eligible for the program under 121.02 (1) (dm) in the 2014-15 school year and in any school year thereafter shall be reimbursed as provided under this section.

\*\*\*\*NOTE: Do you want to establish a limit on the amount of state aid per pupil each school district will receive under this section? If not, is there any other way that you want to limit how the school district determines the costs to operate a 4-year-old kindergarten?

**SECTION 11.** 121.90 (2) (am) 1. of the statutes is amended to read:

121.90 (2) (am) 1. Aid under ss. 121.08, 121.09, 121.105, 121.132, and 121.136 and subch. VI, as calculated for the current school year on October 15 under s. 121.15 (4) and including adjustments made under s. 121.15 (4).

**History:** 1993 a. 16; 1995 a. 27; 1997 a. 27, 113, 237, 286; 1999 a. 9, 32, 186; 2001 a. 109; 2005 a. 225; 2007 a. 20, 200; 2009 a. 28; 2011 a. 32; 2013 a. 20.

\*\*\*\*NOTE: I added state aid paid for the 4-year-old kindergarten program to the definition of state aid for revenue limit purposes. Is that consistent with your intent?

(END)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-2787/PT 1

TKK:kjf:rs

RMMRZ

insert

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

2/11/14

so on

Today

Regen

1 AN ACT *to repeal* 20.255 (2) (dp), 115.445 and 118.14 (3); *to amend* 118.14 (title),  
2 119.04 (1), 121.004 (7) (c) 1. (intro.), 121.004 (7) (cm) and 121.90 (2) (am) 1.; and  
3 *to create* 20.255 (2) (bk), 121.02 (1) (dm) and 121.132 of the statutes; **relating**  
4 **to:** four-year-old kindergarten and making an appropriation.

Insert  
analysis

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

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8 SECTION 2. 20.255 (2) (dp) of the statutes is repealed.

1           **SECTION 3.** 115.445 of the statutes<sup>✓</sup> is repealed.

2           **SECTION 4.** 118.14 (title) of the statutes<sup>✓</sup> is amended to read:

3           **118.14 (title) Age of pupils; phase in of 4-year-old kindergarten.**

4           **SECTION 5.** 118.14 (3) of the statutes<sup>✓</sup> is repealed.

5           **SECTION 6.** 119.04 (1) of the statutes, as affected<sup>✓</sup> by 2013 Wisconsin Act 20, is  
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7           119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
8 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
9 115.345, 115.363, 115.365 (3), 115.38 (2), 115.415, ~~115.445~~, 118.001 to 118.04,  
10 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145  
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21 ~~4-year-old kindergarten program being phased in under s. 118.14 (3) (b)~~, shall be  
22 counted as one-half pupil except that:

23           **SECTION 8.** 121.004 (7) (cm) of the statutes<sup>✓</sup> is amended to read:

24           121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program,  
25 ~~including a 4-year-old kindergarten program being phased in under s. 118.14 (3) (b)~~,

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5 121.02 (1) (dm) Beginning in the 2015–16 school year, make a 4–year–old  
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7 (1) (a) or 120.12 (25), except in union high school districts.

8 **SECTION 10.** 121.132 of the statutes is created to read:

9 **121.132 State aid to school districts to operate 4–year–old**  
10 **kindergarten.** From the appropriation under s. 20.255 (2) (bk), the department  
11 shall reimburse each school district for the costs to operate a 4–year–old  
12 kindergarten as required under s. 121.02 (1) (dm). A school district that makes a  
13 4–year–old kindergarten program available to all pupils eligible for the program  
14 under 121.02 (1) (dm) in the 2014–15 school year and in any school year thereafter  
15 shall be reimbursed as provided under this section.

6 \*\*\*\*\*NOTE: Do you want to establish a limit on the amount of state aid per pupil each  
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to limit how the school district determines the costs to operate a 4–year–old  
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17 121.90 (2) (am) 1. Aid under ss. 121.08, 121.09, 121.105, 121.132, and 121.136  
18 and subch. VI, as calculated for the current school year on October 15 under s. 121.15  
19 (4) and including adjustments made under s. 121.15 (4).

6 \*\*\*\*\*NOTE: I added state aid paid for the 4–year–old kindergarten program to the  
definition of state aid for revenue limit purposes. Is that consistent with your intent?

20 (END)



2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2787/P1ins  
TKK:kjf:rs

*four*  
**INSERT ANALYSIS**

Current law permits, but does not require, the school board of a school district to provide ~~4~~-year-old kindergarten to eligible pupils. Under current law, unless a school board has established standards for early admission to ~~4~~-year-old kindergarten, a pupil who is ~~4~~ years old on or before September 1 in the year that he or she proposes to enter school is eligible for ~~4~~-year-old kindergarten.

This bill requires each school board, other than the school board of a union high school district, to make ~~4~~-year-old kindergarten available to all eligible pupils beginning in the 2015-16 school year. The bill requires the Department of Public Instruction to provide state aid to each school district for the costs to operate a ~~4~~-year-old kindergarten program in the district. The bill adds this state aid for ~~4~~-year-old kindergarten to the definition of state aid for revenue limit purposes.

**Rose, Stefanie**

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**From:** Rep.Taylor  
**Sent:** Friday, February 28, 2014 3:30 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -2787/1 Topic: Require provision of free 4-year-old kindergarten by all school districts

Please Jacket LRB -2787/1 for the ASSEMBLY.